

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BUTTE DIVISION

**FILED**

**DEC 04 2014**

Clerk, U.S. District Court  
District Of Montana  
Missoula

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TIFFANY DENISE DALE,

Defendant.

CR 14-22-BU-DLC

FINDINGS AND  
RECOMMENDATION  
CONCERNING PLEA

The Defendant, by consent, has appeared before me under Fed. R. Crim. P. 11 and has entered a plea of guilty to one count of conspiracy to commit wire fraud in violation of 18 U.S.C. § 371 (Count I), and one count of aggravated identity theft in violation of 18 U.S.C. § 1028A(a)(1) (Count XXIV), as set forth in the Indictment. In exchange for Defendant's plea, the United States agrees to move to dismiss Counts II-IV, VII, IX-XIII, XV, XVII-XXIII, and XXV of the Indictment no later than 21 days after the issuance of a written judgment if the Court accepts the Plea Agreement and the Defendant complies with Paragraph 9 of the Plea Agreement.

After examining the Defendant under oath, I have made the following

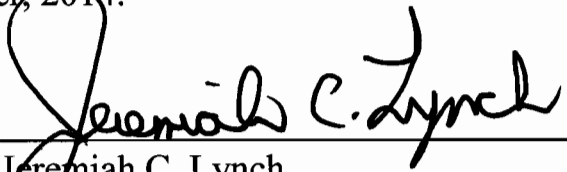
determinations:

1. That the Defendant is fully competent and capable of entering an informed and voluntary plea,
2. That the Defendant is aware of the nature of the charges against her and consequences of pleading guilty to the charges,
3. That the Defendant fully understands her constitutional rights, and the extent to which she is waiving those rights by pleading guilty, and
4. That her pleas of guilty are knowing and voluntary pleas, supported by an independent basis in fact sufficient to prove each of the essential elements of the offenses charged.

The Court further concludes that the Defendant had adequate time to review the Plea Agreement with counsel, that she fully understands each and every provision of the agreement and that all of the statements in the Plea Agreement are true. Therefore, I recommend that the Defendant be adjudged guilty of Counts I and XXIV of the Indictment, and that sentence be imposed. I further recommend that when the United States moves to dismiss Counts II-IV, VII, IX-XIII, XV, XVII-XXIII, and XXV of the Indictment under the conditions agreed to under Paragraph 3 of the Plea Agreement, then Counts II-IV, VII, IX-XIII, XV, XVII-XXIII, and XXV should be dismissed.

**This report is forwarded with the recommendation that the Court defer  
a decision regarding acceptance until the Court has reviewed the Plea  
Agreement and the presentence report.**

DATED this 4<sup>th</sup> day of December, 2014.

  
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Jeremiah C. Lynch  
United States Magistrate Judge